

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHEASTERN DIVISION

Michele K. Kinzler, )  
)  
Plaintiff, )  
)  
vs. ) Case No. 3:05-cv-40  
)  
Jo Anne Barnhart, Commissioner )  
of Social Security Administration, )  
)  
Defendant. )


**O R D E R**

Before the Court are cross motions for summary judgment (docs. #8, #10). The Court has received a Report and Recommendation by the Honorable Karen K. Klein, United States Magistrate Judge (doc. #13), recommending plaintiff's motion be denied and defendant's granted. Neither party has filed objections to the Report and Recommendation, and the period for doing so has elapsed.

Therefore, upon careful review of these items, together with the entire file, this Court finds the Magistrate Judge's Recommendations to be correct and hereby adopts the Report and Recommendation in its entirety. Accordingly, defendant's motion for summary judgment is **GRANTED** and plaintiff's motion for summary judgment is **DENIED**. The decision of the Commissioner is hereby **AFFIRMED**.

**IT IS SO ORDERED.**

Dated this 24th day of March, 2006.

  
RODNEY S. WEBB, District Judge  
United States District Court